

Claims Working Group
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STANDARDS OF PROOF

The International Commission on Holocaust Era Insurance Claims (ICHEIC) has authorised the following standards of proof by which the insurance companies that are participating in the Independent Commission will assess the validity of unpaid insurance claims from the Holocaust-era. The insurance companies will review claims pursuant to relaxed standards of proof based on the information provided by the claimant as well as information discovered during the insurer's investigation of its files, records and archives, together with documents and records recovered during the ICHEIC's search of appropriate archives. The following standards have been established to make it as easy as possible for a claim to be assessed, taking into account all relevant information.

A) In making a claim related to an insurance policy issued to a victim of the Holocaust, a claimant:

- (1) shall show that it is plausible, in the light of all the special circumstances involved, including but not limited to the destruction caused by World War II, the Holocaust, and the lengthy period of time that has passed since the insurance policy in question was obtained, that the claimant is entitled, either in whole or in part, to the benefits of the insurance policy under consideration.
- (2) shall submit all relevant documentary and non-documentary evidence in the claimant's possession or under the claimant's control that may reasonably be expected to be submitted in view of the circumstances and the years that elapsed, of that particular claim, including but not limited to the history of the claimant and the claimant's family, the history of the policy-holder/beneficiary/insured (if they are not the claimant), and whether or not the policy-holder, insured or claimant was a victim of Nazi persecution;
- (3) shall submit a copy or reproduction of any original document about the insurance contract within the claimant's possession or control;
- (4) shall disclose whether the claimant or, to the claimant's knowledge, any other person has applied for, or received, any payment, compensation, reparations or restitution from any government or organisation in respect of the policy under consideration;
- (5) shall disclose the identity of any person known to the claimant whom the claimant believes or may have reasonable grounds to believe may have a valid claim to the benefits of the policy under consideration; and
- (6) shall not submit any evidence in support of a claim which the claimant knows is falsified, forged, or materially misleading.

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B) In assessing a claim by a claimant, the participating insurance companies have agreed:

- (1) not to reject any evidence as being insufficiently probative of any fact necessary to establish the claim if the evidence provided is plausible in the light of all the special circumstances involved, including but not limited to the destruction caused by World War II, the Holocaust, and the lengthy period of time that has passed since the insurance policy under consideration was obtained;
- (2) not to demand unreasonably the production of any document or other evidence which, more likely than not, has been destroyed; lost or rendered inaccessible to the claimant;
- (3) to consider all information submitted by the claimant together with all information recovered by the insurers and the ICHEIC during their search of insurer and other appropriate archives and at all times to consider the difficulties of proving a claim after the destruction caused by World War II and the Holocaust and the lengthy period of time that has passed since the insurance policy under consideration was obtained.

C) The existence of an insurance policy¹ will be considered adequately substantiated by any one of the following:

- (1) an original or copy of an insurance policy;
- (2) original or copies of premium receipts for an insurance policy;
- (3) information in the records of an insurer that verifies the existence of an insurance policy;
- (4) written correspondence between the insurer or agent or representative of the insurer and the claimant that verifies the existence of an insurance policy;
- (5) records held or maintained by any governmental body that verify the existence of an insurance policy;
- (6) records of any governmental body held by the claimant that verify the existence of an insurance policy.

The ICHEIC process shall also consider whether any other document or statement, or combination of documents or statements, are sufficient to substantiate the existence of an insurance contract.

¹ Please note: The existence of an insurance policy does not automatically mean that the claim is valid.

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D) Evidence of details of the insurance contract, the contract's history, information on any payment made to the policyholder, on blocked accounts or any government by the insurer and details of any payment, compensation, restitution, reparations, as well as nationalisation shall be considered adequately substantiated by any of following documents, including but not limited to:

- (1) correspondence with an insurer or the agent or representative of an insurer;
- (2) information in the records of an insurer;
- (3) records held or maintained by any governmental body that verify the above mentioned details surrounding the insurance contract;
- (4) records of any governmental body held by the claimant that verify the above mentioned details surrounding the insurance contract;

The ICHEIC process shall consider whether any other document or statement, or combination of documents or statements, are sufficient to substantiate the above mentioned details surrounding the insurance contract.

E) Information about personal circumstances may be gathered from the following documents, including but not limited to:

- (1) photographs;
- (2) maps;
- (3) reports or notices published in any newspaper, gazette or other journal;
- (4) diaries and personal letters;
- (5) family histories or tree;
- (6) birth or death certificates;
- (7) employment or school records;
- (8) military records;
- (9) a sworn or affirmed statement or affidavit, made by the claimant or by any person having relevant knowledge or authority;
- (10) immigration or emigration records;
- (11) letters, written evidence;
- (12) mortgages;
- (13) any other evidence that the claimant may wish to add to his or her file.